

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE FIRSTENERGY CORP.
SECURITIES LITIGATION,**

This document relates to:

**Civil Action 2:20-cv-3785
Chief Judge Algenon L. Marbley
Magistrate Judge Jolson**

ALL ACTIONS.

ORDER

This matter is before the Court on the October 4, 2022 Status Report (Doc. 348) submitted by Defendant Charles E. Jones and third-party Industrial Energy Users of Ohio (“IEU-Ohio”). Since their last submission, the parties have significantly compromised on a search protocol for documents responsive to the subpoena. Yet, on one aspect of the search protocol—whether to search the emails of four document custodians—the parties are quite far apart. Particularly, the Court finds that IEU-Ohio’s position (that the emails should not be included in the initial search and resulting hit report) is not a meaningful alternative to what has been suggested by Jones, bearing in mind IEU Ohio’s obligations to comply with the subpoena.

The Court offers a final opportunity for the parties to propose meaningful alternatives. Jones and IEU-Ohio are **ORDERED** to submit a joint status report within **seven (7) days** of the date of this Order, in which, if there is still disagreement, each side should propose alternatives to allow for the immediate progress of discovery. Given that the parties are being allotted additional time to confer, the telephonic status conference set for October 6, 2022 is **VACATED**. The Court appreciates that the parties seek clarity on their disputes and will consider setting an in-person hearing to quickly rule on their disputes, if judicial resolution is necessary after the submission of the joint status report.

IT IS SO ORDERED.

Date: October 4, 2022

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE